

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Herbert Demond York, #3033,)	C/A No.: 1:19-2885-RMG-SVH
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Andrea Capers, Tiffany Jones, and)	
Dasia Williams,)	
)	
Defendants.)	
)	

Herbert Demond York (“Plaintiff”) brought this action pursuant to 42 U.S.C. § 1983, alleging violations of his constitutional rights. This matter comes before the court on Plaintiff’s motions to exceed 25 interrogatories [ECF Nos. 63, 74] and motion to compel discovery [ECF No. 65].

In neither of Plaintiff’s motions to exceed 25 interrogatories does Plaintiff present a reason why interrogatories in excess of the standard provided in Fed. R. Civ. P. 33(a)(1) are needed in the instant case. Instead, Plaintiff states generally he seeks additional interrogatories in order for him to carry his burden of proof, arguing, without specifics, that he needs to ask different questions than those he has already propounded. [*See* ECF No. 63 at 1; ECF No. 74 at 1]. This argument is insufficient for the court to grant Plaintiff’s motions. *See* Fed. R. Civ. P. 26(b)(1) and (2).¹

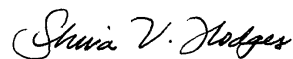
¹ To the extent that Plaintiff seeks the court’s intervention in other lawsuits filed by Plaintiff, seeks to be transferred to another facility, or seeks a

Additionally, the court denies Plaintiff's motion to compel. The court has previously denied the same request Plaintiff reiterates here, seeking the video recording of the day room surveillance camera on September 16, 2019. [ECF Nos. 54, 57, 61, 65]. As explained by Defendants previously, the requested material does not exist in that, unless someone requests a CD or DVD be made of surveillance footage within a certain number of days, it is written over. [ECF No. 57 at 1 ("As this incident occurred over five (5) months ago, the footage from the date of the incident has long been overwritten and, as such, these Defendants no longer possess materials in response to this request."); ECF No. 67 at 1].

For the foregoing reasons, the court denies Plaintiffs' motions to exceed 25 interrogatories [ECF Nos. 63, 74] and motion to compel [ECF No. 65].

IT IS SO ORDERED.

April 20, 2020
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge

temporary restraining order or preliminary injunction [*see, e.g.*, ECF Nos. 63-1, 63-2; *see also* ECF No. 64], the court declines to grant this relief. None of the Defendants named in this action have the authority to transfer Plaintiff to another detention center, and Plaintiff has failed to detail what specific relief he seeks via a temporary restraining order or preliminary injunction nor that he is likely to succeed on the merits, thus warranting such extraordinary relief.